

**Public Comments Regarding
Wild and Scenic Suitability
San Miguel River Segments 3, 5 and 6, Tabeguache Creek, Naturita Creek, Dry Creek
January 4 and 5, 2011**

Two public meetings were hosted by the BLM's Sub-RAC in Telluride and Naturita, CO in early January 2011. As part of a series of educational and public input gatherings, these two-hour evening meetings were to open with a presentation (by telephone) by landowners on designated Wild and Scenic rivers in Idaho and Northeastern Colorado. This did occur on January 4, but not on January 5. Following the presentation on January 4, those in attendance were encouraged to participate in a question-and-answer session with the presenters. Both groups had the opportunity to provide comments regarding specific San Miguel River, Tabeguache Creek, Naturita Creek and Dry Creek segments that are under suitability consideration under the Wild and Scenic Act in the BLM's Uncompahgre Planning Area.

The following provides a summary of the comments made at each meeting.

Telluride – January 4, 2011

SAN MIGUEL RIVER, SEGMENT 3 (Map 25, page 87 in June 2010 “Wild and Scenic River Eligibility Report)

Barbara Hawke: This segment has BLM recreational sites with the Ledges Campground, whitewater boating, fishing and recreational gold mining.

Peter Mueller: I have a question regarding the CC Ditch. What will be the impact on the water call if this section is deemed suitable for wild designation? (response: The Ditch has senior water rights, and there would be no impact)

Steve Smith: What would be the impact if construction is needed on the CC Ditch? (response: Access currently comes off private property, so the ability to modify would not change)

Hilary White: There is a project starting in Fall 2011 that will direct flow into the ditch and will install a fish ladder. There are also mining claims along this section (pan vs. dredging), and possible uranium mining, too, that may pose threats to this section. It is also a very important boating site. Many people use this site below the CC Ditch, and the recreational sites on the BLM get heavy use.

SAN MIGUEL RIVER, SEGMENT 5 (Map 26, page 90)

Greg Craig: This area is outstandingly beautiful and should be protected. 63% of this segment is federal, with DOE owning a lot of it.

Hilary White: The fish population in this segment is significant and the hanging flume has great historical value. Steep canyon walls make this section difficult to access. Even private landowners wouldn't be affected, due to the canyon walls.

Jedd Sondergard: This is a critical stretch for fish. They are doing well, but the in-stream flow is critical to maintain them.

Steve Smith: Has the Colorado National Heritage Program been consulted? (response: this is part of the CNHP proposed conservation area; there is some critical vegetation in the area – not globally imperiled, but the rare plants do need to be considered)

SAN MIGUEL RIVER, SEGMENT 6 (Map 27, page 94)

Steve McComb: The confluence of the Dolores is critical to protect. The Dolores depends on the San Miguel to maintain flows so this should be protected.

Joan May: I did a fly-over of this area and want a higher level of protection than Recreational. This area is just beautiful.

Katie ?? (Watershed Education Project): This site has excellent educational value. As a teacher, I have taken many kids to this site to learn about watersheds. Students from all the communities in the San Miguel watershed have visited this site.

Hilary White: The fish here are important and worthy of protection, especially with mining claims along the entire segment.

Barbara Hawke: Is there any prehistoric historical value being considered? (response: that was considered during eligibility and deemed not worthy)

Steve McComb: Again, the confluence should be protected for fish habitat. I recommend a higher classification to "Scenic."

TABEGUACHE CREEK, SEGMENT 1 (Map 81, page 82)

Hilary White: The Forest Service manages this as a special management area. Interagency coordination to manage this "Wild" site would provide good protection of the area.

Bill Ela: Will a "Wild" designation imperil or conserve?

Hilary White: It's a really wild section. Either leave it alone or protect it.

Steve McComb: A "wild" designation might draw more people.

Joan May: When in doubt, protect these areas.

Greg Craig: Protect this site. I would hate to see a drilling rig here.

TABEGUACHE CREEK, SEGMENT 2 (Map 83, page 99)

Hilary White: This is a tributary to the San Miguel River. It is important to protect it. It makes a hydrologic contribution to the San Miguel. It is also part of the Colorado National Historic Program's proposed protection area.

NATURITA CREEK (Map 30, page 101)

Hilary White: I support splitting the segment to designate the upper portion if there isn't support on the lower end. The Forest Service segment is proposed for mineral withdrawal, as it has wilderness characteristics.

Peter Mueller: I am relaying a comment from Dave Foley, who could not be here. He is the first landowner after the bridge, and wants to see the area preserved and protected.

DRY CREEK (Map 31, page 103)

Greg Craig: There is "textbook" geology in this region. It is very remote and should be protected.

Steve Smith: Whose land is this? (response from audience: although there is a grazing allotment to Max (?) and Sons, there is no private land on this stretch)

Hilary White: There is only one mining claim, so there don't seem to be many potential questions or conflicts along this stretch.

Steve McComb: Since there is so much federal land around it, that would make the designation easier.

Bill Ela: A "Recreational" designation doesn't prevent development? (response: the ORVs are recreational and eligibility suggest a "Recreational" designation)

Greg Craig: Does a designation prevent mining? (response: yes, after the designation is applied)

Steve McComb: It's wild, scenic and nice!

Naturita- January 5, 2011

SAN MIGUEL RIVER, SEGMENT 3 (Map 25, page 87)

R.D. Round: Placer claims are along the river. Access is needed to maintain power lines, the CC Ditch and others. How can it be designated "Scenic" with all of these utilities? It should instead be "Recreational."

Don Bennett: This area is affected by Horsefly Creek. Horsefly could be dammed up. If dammed, it could supply the CC Ditch, which takes it 1-1/2 miles up Horsefly. We will need storage from that reservoir.

Lonnie Taylor: The dam on Horsefly would require access. The road that exists would need improvements. A "Recreational" designation would allow more access.

Kelvin Verity: "Recreational" designation should be considered as there is lots of boating. Does storage and diversion affect a designation? (response: depends on whether the storage is on- or off-site; in this case, it might affect the upstream portion)

George Glasser: I own shares on the CC Ditch. The ditch flows through whole segments of the river. A "Scenic" designation can have fish, but we need to access the river to work on the ditch. This area may be better left "Recreational" so they we can get to the diversion to do maintenance.

Marshall Pendergrass: The CC Ditch project would solve many problems. It is fully funded and will be completed with multiple benefits.

SAN MIGUEL RIVER, SEGMENT 5 (Map 26, page 90)

Breck Richards: Private property dominates this stretch of the river, with no sport fish in the segment. I am opposed to this designation and don't understand this listing. Fish are thriving in this stretch, per the Colorado Division of Wildlife. My land is from the Calamity Mine down a mile and a half and contains three drainages from Nucla. Can't the government change uses?

Kelvin Verity: Three fish are threatened in this segment and critically need this habitat and protection to keep from becoming endangered.

Hank Williams: There are many concerns by the local citizens. Yes, there were mistakes made 50 years ago during the uranium mining era, but there are no similar problems today. We don't need a whole lot of management today. The West End only has its natural resources, and we can't touch them – logging, oil and gas drilling, mining. How do regular citizens fight this?

Tom Kaufman: The reason BLM wants this segment is to control the river and increase the cost of the sewage treatment plant from \$8 million to \$12 million.

Lonnie Taylor: How much more traffic will we get with this designation? (response: that question needs to be directed to landowners along wild and scenic rivers)

Doug (?): Why isn't the BLM concerned with the fallout from Nucla regarding water rights? (response: any water rights issues would have to go through Colorado Water Court)

SAN MIGUEL RIVER, SEGMENT 6 (Map 78, page 94)

Tom Kaufman: I ask that this not be considered for “Wild and Scenic” designation, due to the 1957 DOE withdrawal.

April Montgomery: This is a popular boating section and there is biking on the road above the river. I want to emphasize the importance of recreation and sensitive fish. The fish need protection.

Lonnie Taylor: There are placer claims in this section that need to be addressed.

Marlin Littlefield: The county road runs right by the river. It should be designated “Recreational” and the same with segment 3.

TABEGUACHE CREEK, SEGMENT 1 (Map 81, page 82)

Why are we considering this segment if it only has one ORV? (response: one ORV meets the “eligibility” requirement)

Robbie Bunker: Can designation for “Wild” be rescinded? (response: the Sub-RAC could decide to change it, or they may hold it until the next land use plan update occurs, which could be 20 years or more from now. The last one occurred in 1984. The Resource Management Plan (RMP) is still three years from now. Once designated, this will be in place until the next planning revision.)

Breck Richards: There are water rights above this segment. I am not in favor of this designation because it runs dry in the summer, mining interests would be lost and the Forest Service does not consider it suitable.

R.D. Mound: This segment starts at the Forest Service boundary. Will the Forest Service now be holding meetings?

TABEGUACHE CREEK, SEGMENT 2 (Map 83, page 82)

Breck Richards: Same comment as on Segment 1 – there is private land along this stretch.

Marlin Littlefield: It’s listed on the register of historical sites. Wouldn’t that protect it? (response: no, that would only cover a small piece of this segment)

NATURITA CREEK (Map 30, page 101)

Earl Reams: There are six power lines and one gas line that cross the property. My family has 1880s water rights, and there are many in the area with private water rights as well, with a number of diversions. I have my doubts about the ORVs. What will be the effect on private property rights? I am opposed to any designation on this property. Passions around this issue are high. People here depend on the river for their livelihood and have been taking care of it for hundreds of years.

Dave Andrews: I am a landowner along this segment, near Naturita. There is too much private land and many layers of existing regulation. I can't see how BLM could manage this area.

Keith Williams: How would you measure one quarter mile up from the river? (response: the measurement is based on a logical boundary, which considers cliffs, etc.)

Breck Richards: Measurements on the one quarter mile seem skewed. (response: when considering a specific segment, we'll be considering manageability; the distance from the river to be managed will have to make sense)

Earl Reams: This drainage has gone dry 11 of the last 19 years. It's dry below the diversion and doesn't run all the time.

Keith Williams: The fish have always been there, some years less than others.

Hank Williams: "Wild and Scenic" designation would have to start below the dam.

Trace Campbell: I have property along the segment. There are many diversions and power lines. I have the same comments as Earl Reams.

Robbie Bunker: Does a designation mean the BLM could take the quarter mile they manage by condemnation? (response: it has been done a very few times in the East, but not since the 1980s, and I would not do it here)

Earl Reams: Since its inception, there have been seven condemnations by the federal government for Wild and Scenic rivers.

Keith Williams: What are we protecting? (response: the ORVs, from dams and development)

DRY CREEK (Map 31, page 103)

Lonnie Taylor: The potential for uranium mining should reduce the designation to something less than "Wild."

Earl Reams: Dry Creek has a grazing permit. There is a road that runs the full length of it. I would prefer no designation, but I can live with it if it is designated "Recreational."

Breck Richards: There is grazing along this stretch. The UFO(?) specialist should not have found this segment eligible, due to the intermittent nature of the Creek. It lives up to its name in the summer.

George Baker: Around the coke ovens is a reclaimed area and shouldn't qualify for "Wild" designation. According to the DOE, long-term maintenance is required. Consider the area for a lesser designation.